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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

JIM ROSE,
Plaintiff,

CV 07-199-ST

vs.

ORDER

COMMISSIONER of Social Security,
Defendant.

Reasonable attorney fees in the amount of \$10,405.17 are hereby awarded to Plaintiff's attorney pursuant to 42 U.S.C. § 406(b). Previously, this court awarded \$5,800.00 pursuant to the Equal Access to Justice Act (EAJA). From the § 406(b) award, Plaintiff's attorney may retain an additional \$4,605.17 above the amount already received for EAJA fees. The court understands that the agency already has sent to Plaintiff's attorney \$5,217.00 (for payment of an administrative fee which the attorney does not wish to charge). Plaintiff's attorney may charge and receive \$4,522.17 (the net § 406(b) fee award of \$4,605.17 minus the agency's \$83 processing fee) from these funds currently being held in his IOLTA trust account, and shall refund the remainder to Plaintiff.

DATED this 4 day of August, 2009.


United States District / Magistrate Judge

Presented by: s/ Tim Wilborn, OSB # 944644
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Attorney for Plaintiff